

**PUBLIC HEALTH DEPARTMENT[641]**

**Adopted and Filed Emergency After Notice**

Pursuant to the authority of Iowa Code section 105.4 (2007 Iowa Acts, chapter 198, section 4), the Department of Public Health adopts new Chapter 29, “Plumbing and Mechanical Systems Professionals—Application, Licensure, and Examination,” Iowa Administrative Code.

These rules describe the types of licenses and the requirements for licensure for plumbing and mechanical systems professionals. The rules provide guidelines for application for the initial license, for renewal, and for examination. The rules also outline procedures to follow when a license is denied.

Notice of Intended Action was published in the Iowa Administrative Bulletin on November 5, 2008, as **ARC 7330B**. Public hearings were scheduled in six locations across the state; one was canceled due to weather issues. There were 50 comments received during the comment period that addressed Chapter 29. The Board reviewed each comment and seriously considered whether to enact specific changes. As a result of the comments received, the definition of “routine maintenance” was amended for clarification and now reads as follows:

“‘Routine maintenance,’ as the term applies in Iowa Code section 105.11(9), is the regular upkeep of plumbing, HVAC, refrigeration, and hydronic systems and equipment, including recurring, preventive and ongoing maintenance necessary to delay or prevent failure, for which no changes in original design or construction are made. Examples of routine maintenance include replacing wax seals, gaskets, washers, air filters, or belts; oiling a blower motor; cleaning a condensing coil; and repairing damaged ductwork. ‘Routine maintenance’ shall not be interpreted to allow the repair or replacement of furnaces, condensing units, blower motors, boilers, chillers, ductwork systems, water heaters, water pipe systems, waste and vent systems or similar work.”

These rules were adopted by the Plumbing and Mechanical Systems Examining Board on December 16, 2008.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Department finds that the normal effective date of these rules should be waived and these rules should be made effective on January 1, 2009, as the guidance in these rules benefits those persons who must comply with the licensure of plumbers and mechanical systems professionals that became effective January 1, 2009.

These rules became effective January 1, 2009.

These rules are intended to implement Iowa Code chapter 105.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these rules [Ch 29] is being omitted. With the exception of the change noted above, these rules are identical to those published under Notice as **ARC 7330B**, IAB 11/5/08.

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[For replacement pages for IAC, see IAC Supplement 1/14/09.]